DEPARTMENT OF VETERANS AFFAIRS

IVIAY IZ, ZUZJ

Malik Haleem Swinton 503 Mission Hill Dr Fort Wayne, IN 46804

In Reply Refer to: xxx-xx-0143 27/eBenefits

Dear Mr. Swinton:

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as state or local property or vehicle tax relief, civil service preference, to obtain housing entitlements, free or reduced state park annual memberships, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter is considered an official record of your VA entitlement.

Our records contain the following information:

Personal Claim Information

Your VA claim number is: xxx-xx-0143

You are the Veteran.

Military Information

Your most recent, verified periods of service (up to three) include:

Branch of Service

Character of Service

Entered Active Duty

Released/Discharged

Army

Honorable

September 04, 1997

February 03, 2001

(There may be additional periods of service not listed above.)

VA Benefit Information

You have one or more service-connected disabilities:

Yes

Your combined service-connected evaluation is:

80%

Your current monthly award amount is:

\$3757

The effective date of the last change to your current award was:

December 01, 2022

You are being paid at the 100 percent rate because you are unemployable due to your service-connected disabilities:

Yes

You are considered to be totally and permanently disabled due solely to your service-connected disabilities:

Yes

The effective date of when you became totally and permanently disabled due to your

February 09, 2021

USDC IN/ND case 1:23-cv-00112-HAB-SLC document 17-1 filed 08/14/23 page 2 of 43



You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of Veterans' affairs are available at http://www.va.gov/statedva.htm.

How You Can Contact Us

- If you need general information about benefits and eligibility, please visit us at https://www.ebenefits.va.gov or https://www.va.gov.
- Call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the number is 1-800-829-4833.
- Ask a guestion on the Internet at https://www.va.gov/contact-us.

Sincerely Yours,

Regional Office Director

USDC IN/ND case 1:23-cv-00112-HAB-SLC document 17-1 filed 08/14/23 page 3 of 43



You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of Veterans' affairs are available at http://www.va.gov/statedva.htm.

How You Can Contact Us

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- Ask a guestion on the Internet at https://www.va.gov/contact-us.

Sincerely Yours,

Regional Office Director

Your vA payments

Check your payment history for your VA disability compensation, pension, and education benefits.

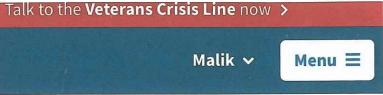
Payments you received

We pay benefits on the first day of the month for the previous month. If the first day of the month is a weekend or holiday, we pay benefits on the last business day before the first. For example, if May 1 is a Saturday, we'd pay benefits on Friday, April 30.

Displaying 1 - 6 of 190

Date July 20, 2023
Amount \$0.00
Type Compensation & Pension - Recurring
Method
Bank
Account
Date June 20, 2023
Amount \$0.00
Type Compensation & Pension - Recurring





our claims and appeals

Your compensation pension claim

What you've claimed: Not available



Claim type

Compensation Pension

What you've claimed

Not Available

Date received

Feb. 7, 2023

Your representative for VA claims

AMERICAN LEGION



Check your claims and appeals

Your compensation pension claim

What you've claimed: Not available

Status Files Details



You can download your decision letter online now. You can also get other letters related to your claims.

We'll also send you a copy of your decision letter by mail. It should arrive within 10 days after the date we closed your claim, but it may take longer.





3

USDC IN/ND**Yoursclaims**, edecision treviews, 4/23 page 8 of 43 or appeals

Find out why we sometimes combine claims. >

Showing 1 – 10 of 26 events

Claim for eligibility determination updated on March 3, 2023

Status: Closed

Submitted on: February 17, 2023

View details

Claim for compensation pension updated on February 7, 2023

Status: Closed

You have a decision letter ready

Submitted on: February 7, 2023

View details

Claim for compensation pension updated on January 11, 2023

Status: Closed

Submitted on: September 1, 2022



We made a decision on your VA benefits.

Dear Malik Swinton:

This letter will guide you through the information you should know and steps you may take now that VA has made a decision about your benefits.

Your Benefit Information:

- Basic eligibility for Dependents' Educational Assistance is established from February 9, 2021.
- Entitlement to individual unemployability is granted effective February 9, 2021.
- Evaluation of left knee strain, which is currently disabling, is increased to bercent effective February 9, 2021.
- Evaluation of left shoulder strain (non-dominant) (previously degenerative joint disease), which is currently ercent disabling, is continued.
- Evaluation of right shoulder strain (dominant) (previously degenerative joint disease), which is currently percent disabling, is continued.
- Evaluation of degenerative arthritis lumbar spine with Intervertebral disc syndrome, which is currently percent disabling, is increased to percent effective February 9, 2021.
- Evaluation of right knee strain, which is currently percent disabling, is increased to percent effective February 9, 2021.

Your combined rating evaluation is:

Combined Rating Evaluation	Effective Date
	Feb 4, 2001
	Jun 30, 2011



We have included with this letter:

- 1. Explanation of Payment
- 2. Additional Benefits
- 3. Where to Send Your Correspondence
- 4. VA Form 20-0998
- 5. Rating Decision
- 6. Fraud Prevention Attachment

Contact information:

Web: <u>www.vets.gov</u> Phone: 1-800-827-1000

TDD: 711

To send questions online: visit https://iris.custhelp.com/

Social Media:

Twitter: @VAVetBenefits Facebook: www.facebook.com/ VeteransBenefits

Your representative:

You appointed DISABLED AMERICAN VETERANS as your accredited representative. They have also received a copy of this letter,

They can help you with any questions you have about your claim.

If you or someone you know is in crisis, call the *Veterans Crisis Line* at 1-800-273-8255 and press 1.



Combined Rating Evaluation	Effective Date
70%	Nov 26, 2014
70%	Dec 1, 2016
70%	Oct 25, 2017
80%	Feb 9, 2021

How VA Combines Percentages

If you have more than one condition, VA will combine percentages to determine your overall disability rating. The percentages assigned for each of your conditions may not always add up to your combined rating evaluation. The following website has additional information about how VA combines percentages: http://www.benefits.va.gov/compensation/rates-index.asp#howcalc.

See Rating Decision to find out why we made this decision.

Your dependents may be eligible for Dependents' Educational Assistance (Chapter 35). For more information on this program, please visit the following web site: http://www.gibill.va.gov/benefits/other programs/dea.html or call 1-888-GIBILL-1 (1-888-442-4551). To file an application, complete and return VA Form 22-5490. To locate the appropriate form(s), please visit the following website: www.va.gov/vaforms or you can call us at 1-800-827-1000 and we will mail you any form you need. (38 USC Chapter 35, 38 CFR 3.807)

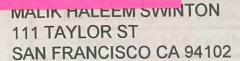
Your monthly entitlement amount is shown below:

Monthly Entitlement Amount	Payment Start Date	Reason
\$3,263.74	Mar 1, 2021	Individual Unemployability Adjustment, Compensation Rating Adjustment
\$3,146.42	Apr 2, 2036	Minor Child Adjustment

We are currently paying you as a Veteran with one dependent. Let us know right away if there is any change in the status of your dependents.

If payments are due, you should receive your first payment, if not already in receipt of payments, within 7-10 days of this notice.

See Explanation of Payment for more details about your payment.



We made a decision on your VA benefits.

Dear Malik Swinton:

This letter will guide you through the information you should know and steps you may take now that VA has made a decision about your benefits.

Our VA notification letter dated January 15, 2020, informed you that we received a response from FCI FLORENCE regarding your conviction and confinement. Due to this newly received evidence, a correction was made to your award and the date of which we began withholding has been updated to October 3, 2019. We previously terminated your award on December 1, 2019. This notification letter is a correction to that award, to restore your compensation benefits at the 10% compensation rate from December 1, 2019.

We have reinstated your VA compensation benefits effective November 27, 2020, the date your incarceration ended.

Applicable Laws and Regulations 38 U.S.C. 5313B, 38 CFR 3.31(c),

Your Benefit Information:

Applicable Veterans Affairs (VA) regulations. (38 CFR 3.665)

Your monthly entitlement amount is shown below:

Total VA Benefit	Amount Withheld	Amount Paid	Payment Start Date	Reason
\$1,507.17	\$1,364.88	\$142.29	Dec 1, 2019	Cost of Living Adjustment
\$1,507.17	\$0.00	\$1,507.1 7	Nov 27, 2020	Incarceration Adjustment



We have included with this letter:

- 1. Explanation of Payment
- 2. Additional Benefits
- Where to Send Your Correspondence
- 4. VA Form 20-0998
- 5. Fraud Prevention Attachment

Contact information:

Web: <u>www.vets.gov</u> Phone: 1-800-827-1000

TDD: 711

To send questions online: visit https://iris.custhelp.com/

Social Media:

Twitter: @VAVetBenefits Facebook: www.facebook.com/ VeteransBenefits

Your representative:

You appointed DISABLED
AMERICAN VETERANS as your
accredited representative. They
have also received a copy of this
letter

They can help you with any questions you have about your claim.

If you or someone you know is in crisis, call the *Veterans Crisis Line* at 1-800-273-8255 and press 1.



Explanation of Payment

We Have Withheld Benefits

Our records indicate that you have been incarcerated for more than 60 days. The law states that VA compensation benefits must be reduced to the 10% rate for any Veterans with an evaluation of 20% or greater, or half of the current award amount for any Veteran with a disability evaluation of less than 20%. Upon your release, we will resume your full VA compensation benefits.

Your monthly entitlement amount includes payment for the following dependent(s):

Payment Start Date	Award Dependent(s)
Dec 1, 2019	Elijah
Nov 27, 2020	Elijah
Dec 1, 2020	Elijah
Apr 2, 2036	None

Let us know right away if there is any change in the status of your dependent(s).

Please Take Action: What Things Affect Your Right to Payment?

Please notify VA *immediately* if there is a change in any condition affecting your right to continued payments. If you don't notify us of these changes immediately, you may have to return any overpayments. Those changes include:

Evidence received shows a change is warranted.

Military Pay or Worker's Compensation: Your payments may be affected by the following, which you must bring to our attention:

Reentrance into active military or naval service.

 Receipt of armed forces service retirement pay, unless your retirement pay has already been reduced because of award of disability compensation.

Receipt of benefits from the Office of Federal Employees Compensation.

· Receipt of active duty or drill pay as a reservist or member of the National Guard.

Dependents: If you have a disability rating of 30 percent or more, you must advise VA of any change with your spouse or children.

Hospitalization: If your award includes Aid and Attendance benefits, we may reduce this additional allowance if you are admitted to a hospital, nursing home, or domiciliary care at VA expense.



Total VA Benefit	Amount Withheld	Amount Paid	Payment Start Date	Reason
\$1,526.71	\$0.00	\$1,526.71	Dec 1, 2020	Cost of Living Adjustment
\$1,444.71	\$0.00	\$1,444.71	Apr 2, 2036	Minor Child Adjustment

We are currently paying you as a Veteran with one dependent. Let us know right away if there is any change in the status of your dependents.

If payments are due, you should receive your first payment, if not already in receipt of payments, within 7-10 days of this notice.

See Explanation of Payment for more details about your payment.

Your payment will be directed to the financial institution and account number that you specified To confirm when your payment was deposited, please contact your financial institution.

If this account is no longer open,

please notify us immediately.

Evidence Considered

In making our decision, we considered the following evidence:

- Correspondence, received on February 08, 2021
- Review of claim's file
- VA 21-0820 Report of General Information, received on February 08, 2021
- · Correspondence, received on December 10, 2020
- Correspondence, received on December 10, 2020
- Correspondence, received on February 08, 2021
- Notification Letter (e.g. VA 20-8993, VA 21-0290, PCGL), received on January 15, 2020
- VA 27-0820e Report of Incarceration, received on February 17, 2021

What You Should Do If You Disagree With Our Decision

If you do not agree with our decision, you have one year from the date of this letter to select a review option in order to protect your initial filing date for effective date purposes. You must file your request on the required application form for the review option desired. The table below represents the review options and their respective required application form.



USDC-HV/ND case 1:25-67-00112-HAB-SLC document 17-1 filed 08/14/23 page 14 of 43

SWINTON 5886 SW 15TH ST WEST MIAMI FL 33144-5716

We made a decision on your VA benefits.

Dear Malik Swinton:

This letter will guide you through the information you should know and steps you may take now that VA has made a decision about your benefits.

Please disregard previous notification letter dated September 20, 2019. We received a response from FCI FLORENCE regarding your conviction and confinement. Due to this newly received evidence, a correction was made to your award and the date of which we began withholding has been updated to October 03, 2019. We apologize for any inconvenience this may have caused.

Your Benefit Information:

Your monthly entitlement amount is shown below:

Total VA Benefit	Amount Withheld	Amount Paid	Payment Start Date	Reason
\$1,482.71	\$0.00	\$1,482.7 1	Dec 1, 2018	Cost of Living Adjustment
\$1,482.71	\$1,342.66	\$140.05	Oct 3, 2019	Incarceration Adjustment
\$0.00	\$0.00	\$0.00	Dec 1, 2019	Cost of Living Adjustment, Fugitive Felon

We are currently paying you as a Veteran with one dependent. Let us know right away if there is any change in the status of your dependents.



We have included with this letter:

 Additional Benefits
 Where to Send Written Correspondence
 VA Form 20-0998

Contact Information:

Web: www.vets.gov Phone: 1-800-827-1000 TDD: 711 To send questions online: visit https://iris.custhelp.com/

Social Media:

Twitter: @VAVetBenefits Facebook: www.facebook.com/ VeteransBenefits

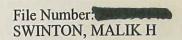
Your representative:

You appointed DISABLED AMERICAN VETERANS as your accredited representative. They have also received a copy of this letter.

They can help you with any questions you have about your claim.

If you or someone you know is in crisis, call the *Veterans Crisis Line* at 1-800-273-8255 and press 1.





If payments are due, you should receive your first payment, if not already in receipt of payments, within 7-10 days of this notice.

Evidence Considered

In making our decision, we considered the following evidence:

- Bureau of Prisons Match received on November 18, 2019
- Prison/Convict Information received on November 20, 2019
- VA 21-4193 Notice to Veterans Administration of Veteran or Beneficiary Incarcerated in Penal Institution received on December 16, 2019

What You Should Do If You Disagree With Our Decision

If you do not agree with our decision, you have one year from the date of this letter to select a review option in order to protect your initial filing date for effective date purposes. You must file your request on the required application form for the review option desired. The table below represents the review options and their respective required application form.

Review Option	Required Application Form		
Supplemental Claim	VA Form 20-0995, Decision Review Request: Supplemental Claim		
Higher-Level Review	VA Form 20-0996, Decision Review Request: Higher-Level Review		
Appeal to the Board of Veterans' Appeals	VA Form 10182, Decision Review Request: Board Appeal (Notice of Disagreement)		

Please note: You may not request a higher-level review of a higher-level review decision issued by VA.

The enclosed VA Form 20-0998, Your Rights To Seek Further Review Of Our Decision, explains your options in greater detail and provides instructions on how to request further review. You may download a copy of any of the required application forms noted above by visiting www.va.gov/vaforms/ or you may contact us by telephone at 1-800-827-1000 and we will mail you any form you need.

You can visit <u>www.va.gov/decision-reviews</u> to learn more about how the disagreement process works.

If you would like to obtain or access evidence used in making this decision, please contact us by telephone, email, or letter as noted below letting us know what you would like to obtain. Some



File Number: SWINTON, MALIK H

We Have Withheld Benefits

Our records indicate that you have been incarcerated for more than 60 days. The law states that VA compensation benefits must be reduced to the 10% rate for any Veterans with an evaluation of 20% or greater, or half of the current award amount for any Veteran with a disability evaluation of less than 20%. Upon your release, we will resume your full VA compensation benefits.

Your monthly entitlement amount includes payment for the following dependent(s):

Payment Start Date	Award Dependent(s)
Dec 1, 2018	Elijah
Oct 3, 2019	Elijah
Dec 1, 2019	Elijah

Let us know right away if there is any change in the status of your dependent(s).

Additional Benefits

Medical Care and Treatment:

- Mental Health Counseling: For more information, please visit www.myhealth.va.gov/mhv-portal-web/.
- Blind Rehabilitation: For more information, please visit www.va.gov/blindrehab/.

Home Adaptations/Loans, Automobile Benefits, and Life Insurance:

- Loans: For more information, please visit <u>www.benefits.va.gov/homeloans/</u>.
- Funding Fee Refund: If you paid a funding fee at the closing of a VA guaranteed home loan
 and your VA compensation award provides an effective rating date that was prior to your
 loan closing date, then you may be eligible for a funding fee refund. Please contact either
 your current mortgage servicer or a VA Regional Loan Center at (877) 827-3702 to begin
 the refund process.





DEPARTMENT OF VETERANS AFFAIRS

USDC IN/ND case 1:23-cv-00112-Debt Management Center filed 08/14/23 page 17 of 43

Bishop Henry Whipple Federal Building

P. O. Box 11930 St. Paul, MN 55111-0930

503 MISSION HILL DR FORT WAYNE, IN 46804-6423 United States FAX NUMBER: (612) 970-5798 TOLL-FREE: 1-800-827-0648 Questions: https://ask.va.gov/

RE: United States v. Swinton, United States District Court Case Number 4:18-cr-586

Dear Mr. Swinton,

This letter concerns your recent correspondence concerning United States District Court Case Number 4:18-cr-586. The judgment in that case ordered you to pay restitution to the United States District Court for the Northern District of California in the form of "monthly payments of not less than \$300 per month or 10% of <u>earnings</u>, whichever is greater". The letter you have submitted indicates that the United States Attorney's Office has temporarily excused you from making payments out of your earned income to the court.

Your Department of Veterans Affairs Compensation benefits are not earned income and are not subject to the dollar amount listed in the judgment or the temporary suspension of restitution payments mentioned in the letter. The Department of Veterans Affairs, Debt Management Center will continue to withhold your Department of Veterans Affairs Compensation benefit payments to apply to the restitution ordered.

Any inquiries relating to the amount of restitution owed must be directed to the Clerk of the United States District Court for the Northern District of California. Their address is United States District Court, 450 Golden Gate Avenue, San Francisco, California, 94102.

Respectfully,

Debt Management Center, U.S. Department of Veterans Affairs

Enclosure

WCM

If yo

WH

partment of Veterans Affairs (VA) for an overpayment related ere to help. It is important for you to contact VA soon.

...NOW



Veterans Benefits Administration (VBA) Debt

The VA is resuming the referral of delinquent benefit debt to the Department of the Treasury in **October 2022**. If you are unable to pay your VA benefit debt, you can call us for a temporary hardship suspension through December 31, 2022.

Relief Options

There are a variety of relief options available if you are experiencing financial difficulty and cannot repay right away, including:



- Extending repayment plans
- Requesting debt forgiveness through the waiver process
- Submitting a compromise offer to settle the debt for less than the full amount
- Requesting a temporary hardship suspension of repayment through December 31, 2022

VA wants to work with you before your debt becomes delinquent. If you don't pay or request help within the time limit listed in your debt letters, VA is required to refer your delinquent debt to the U.S. Department of the Treasury may add fees and interest to your debt, keep all or part of your federal or state payments to pay down your debt, refer you to a private collection agency, and/or garnish non-federal wages.

IF YOU NEED ADDITIONAL ASSISTANCE FOR YOUR:

Over Visit our website at https://www.va.gov/manage-va-debt or call 1-800-827-0648.

1 VHA Debt Call the Health Resource Center at 1-866-400-1238.

Benefits Claim Visit our website at https://benefits.va.gov or call 1-800-827-1000.

U.S. Department of Justice

United States Attorney Northern District of California

9th Floor, Federal Building 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102-3495 (415) 436-6970

FAX: (415) 436-6570

February 7, 2023

Malik Swinton 503 Mission Hill Drive Fort Wayne, IN 46804

Re: United States v. Malik Swinton

<u>USDC ND California</u>; No.: <u>CR 18-0586-001 YGR</u> USAO No.: 2019A65253 Bal. Due: \$629,087.61

Dear Mr. Swinton,

Our office has completed a cash flow analysis of the Financial Statement and supporting documents you provided to determine your ability to make payments against your outstanding criminal judgment. Our review of your financial information included a comparison to the IRS Collection Financial Standards which considers living costs for your local area for certain expenses. In these calculations, this office accounted for cost of living for two persons. Finally, though it is not intended to be included in the IRS Collection Financial Standards, we factored in minimum payments on all installment debts reported except deferred student loans. Based on the information you supplied, this office has determined your monthly disposable income to be (\$27.00) at this time.

Considering these factors, please be advised that the U.S. Attorney's Office is not seeking a regular payment plan at this time. This office will contact you at a later date regarding any changes in your financial condition.

If you have questions regarding benefits from the Veterans Administration, we suggest you contact the VA directly, and/or seek the advice of legal counsel.

Very truly yours,

STEPHANIE M. HINDS United States Attorney Northern District of California

/s/ Allen W. Williams
ALLEN W. WILLIAMS
Financial Analyst

www.oversight.gov







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VA Did Not Provide Some Veterans Legally Required Notice and Due Process before Collecting Debts for the Compensation Program

Submitting OIG:

Department of Veterans Affairs OIG

Report Description:

During a prior review, the VA Office of Inspector General (OIG) discovered three scenarios in which the VA improperly collected debts from veterans without first providing them with legally required notice and due process and notified VA. This management advisory memorandum gives VA the information it needs to determine whether to take further action to address similarly situated veterans. VA provides veterans tax-free monthly compensation in recognition







USDO IN/ND case 1:23-cy-00112-HAB-SLC document 17-1 filed 08/14/23 page 21 of 43

DEPARTMENT OF VETERANS AFFAIRS

Debt Management Center Bishop Henry Whipple Federal Building P.O. Box 11930 St. Paul, MN 55111-0930

2021

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MALIK SWINTON 111 TAYLOR ST

SAN FRANCISCO CA 94102

File Number.

Payee Number:

00

MHSWIN Person Entitled:

30 Deduction Code:

Questions? https://iris.custhelp.va.gov/app/ask/ (Please provide the information above on any IRIS correspondence)

Reference is made to your Compensation and Pension indebtedness in the amount of \$ 206,146.52.

Our records indicate that you are now receiving VA benefits. These benefits will be withheld in full beginning with your check due May 2021 and will continue until the debt is liquidated unless other arrangements are made.

If this withholding will create a financial hardship, you should contact this office within the next 45 days to establish a lesser withholding or make some other satisfactory arrangement to liquidate this debt. In order to expedite your request for a lesser withholding, you must complete the enclosed Financial Status Report and return it to this office with your request at your earliest convenience.

You may contact us by calling toll-free 1-800-827-0648 if you have any questions concerning this letter or to make arrangements to repay your debt.

Chief. Operations Division

Enclosures



USDC IN/ND case 1:23-cv-00112-HAB-SLC document 17-1 filed 08/14/23 page 22 of 43





DEPARTMENT OF VETERANS AFFAIRS

Debt Management Center Bishop Henry Whipple Federal Building P.O. Box 11930

St. Paul, MN 55111-0930

FEBRUARY 18, 2022

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2302 1 MB 0.482

MALIK HALEEM SWINTON 503 MISSION HILL DR FORT WAYNE, IN 46804-6423

00

Person Entitled: Deduction Code

(Please provide the information above on any IRIS correspondence)

According to our records, your Compensation and Pension indebtedness to the Department of Veterans Affairs has been reduced by \$ 300.00. The balance of your debt, as of the date of this letter, is \$ 197,912.07. You may contact us at the following toll-free telephone number (1-800-827-0648) if you have any questions concerning this letter.

Chief, Operations Division

Department of Veterans Affairs

VA DATE STAMP
(DO NOT WRITE IN THIS SPACE)

STATEMENT IN SUPPORT OF CLAIM

INSTRUCTIONS: Before completing this form, read the Privacy Act and Respondent Burden on page 2. Use this form to submit a statement to support a claim. For more information you can contact us through Ask VA: https://ask.va.gov/, or call us toll-free at 800-827-1000 (TTY:711). VA forms are available at www.va.gov/vaforms. After completing the form, mail to: Department of Veterans Affairs, Evidence Intake Center, P.O. Box 4444, Janesville, WI 53547-4444.

Veteralis Alians, Evianne III.	BENEFICIARY'S IDENTIFICATION INFORMATION
SECTION I: VETERANI	BENEFICIARY S IDENTIFICATION TO A HEALTH and legibly, and insert one letter per box to help expedite
processing of the form.	I, print the information requested in ink, neatly and legibly, and insert one letter per box to help expedite
1. VETERAN/BENEFICIARY'S NAME (First, Middle Initial, Last)	
Marik	Swinton
	LE NUMBER (If applicable) 4. VETERAN'S DATE OF BIRTH
2. VETERANO GOGILE GEOGRAPIA	Month Day Year
	06-02-1978
5. VETERAN'S SERVICE NUMBER (If applicable)	
6. TELEPHONE NUMBER (Include Area Code)	7. E-MAIL ADDRESS (Optional)
702-278-7332	deanbrascoonot mail,
Enter International Phone Number	
(If applicable)	COM
8. MAILING ADDRESS (Number and street or rural route, P.O. Box, City, S	State, ZIP Code and Country)
No.8	
Street 503 Mission	RIIIDY
	rt wayne
Apt./Unit Number City F O	rragne
State/Province I N Country U 5 ZIP	Code/Postal Code 4 6 8 0 4 -
	SECTION II: REMARKS
(The following statement is made in connection v	with a claim for benefits in the case of the above-named veteran/beneficiary)

FINANCIAL STATUS REPORT page 24 of 43 Department of Veterans Affairs

. SOCIAL SECURITY NO.

2. FILE NO.

3. SPECIFY WHY YOU ARE COMPLETING THIS FORM

(Waiver, Compromise, Payment Plan or Other)

(Type or print all entries. If more space is needed for any item, continue under Section VII, Additional Data, Item 36 or attach separate sheet)

inancial Debt forgiveness and financial hardship waiver

PRIVACY ACT INFORMATION: The information you furnish on this form is almost always used to determine if you are eligible for waiver of a debt, for the acceptance of a compromise offer or for a payment plan. Disclosure is voluntary. However, if the information is not furnished, your eligibility for waiver, compromise or a payment plan may be affected. The responses you submit are confidential and protected from unauthorized disclosure by 38 U.S.C. 5701. The information may be disclosed outside the Department of Veterans Affairs (VA) only when authorized by the Privacy Act of 1974, as amended. The routine uses for which VA may disclose the information can be found in VA systems of records, including 58VA21/22, Compensation, Pension, Education and Rehabilitation Records-VA, and 88VA244, Accounts Receivable Records-VA. VA systems of records and alterations to the systems are published in the Federal Register. Any information provided by you, including your Social Security Number, may be used in computer matching programs conducted in connection with any proceeding for the collection of an amount owed by virtue of your participation in any benefit program administered by VA.

RESPONDENT BURDEN: VA may not conduct or sponsor, and respondent is not required to respond to this collection of information unless it displays a valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have comments regarding this burden estimate or any other aspect of this collection of information, call 1-800-827-0648 for mailing information on where to send your comments.

SECTION I - PERSONAL DATA					
4. FIRST-MIDDLE-LAST NAME OF PERSON 5. ADDRESS (Number and street or rural route, City or P.O. Box, State, and ZIP Code) 7. ADDRESS (Number and street or rural route, City or P.O. Box, State, and ZIP Code)					
Malik Halcem Swinton for 6. TELEPHONE NO. (Include Area Code) 7. DATE OF BIRTH (MM-DD-YYYY)			fort way me I	246804	
70227873	332 06	-02-202	MARRIED NOT MARRIED		
9. NAME OF SPOUSE	77		10. AGE(S) OF OTHER DEPENDENTS		
COMPL	ETE RECORD OF E	MPLOYMENT FOR YO	URSELF AND SPOUSE DURING PAST 2 YEAR	S	
KIND OF JOB	DATES	(MM-YYYY)	NAME AND ADDRESS OF EM	PLOYER	
KIND OF SOB	FROM	ТО	NAME AND ADDITION OF THE		
		11. YOUR EMPLOYM	MENT EXPERIENCE		
Unemployed	12/2007	PRESENT TIME	Pisabilities		
			10 10 10 10 10 10 10 10 10 10 10 10 10 1		
		12. YOUR SPOUSE	C FADI OVAFAT	413 04 100	
		12. WOUR SPOUSE	S EMPLOYMENT		
1114		PRESENT TIME	MA		
SECTI	ON II - INCOME		SECTION III - EXPEN		
AVERAGE MONTHLY INCOME	SELF	SPOUSE	AVERAGE MONTHLY EXPENSES	AMOUNT	
13. MONTHLY GROSS SALARY (Before payroll deductions)	s O	\$	18. RENT OR MORTGAGE PAYMENT	\$ 1995	
14. PAYROLL DEDUCTIONS			19. FOOD	\$ 350	
A. FEDERAL, STATE AND LOCAL INCOME TAXES	D		20. UTILITIES AND HEAT	\$ 2500	
B. RETIREMENT	0		21. OTHER LIVING EXPENSES VEhicle Patment	\$68,000	
C. SOCIAL SECURITY	0		ingurance	\$200	
D. OTHER (Specify)	0			a sent	
E. TOTAL DEDUCTIONS (Items 14A through 14D)	0		a credit card	4697000	
15. NET TAKE HOME PAY (Subtract Item 14E from Item 13)	0		a versicle payment	\$320	
16. VA BENEFITS, SOCIAL SECURITY, OR OTHER INCOME (Specify source)	D		2 Panks 22. MONTHLY PAYMENTS ON INSTALLMENT	* 770	
	U		CONTRACTS AND OTHER DEBTS (Include amount from Section VI, Line 34I - Column E.)	18290	
17. TOTAL MONTHLY NET INCOME (Item 15 plus Item 16)	s V	S	23. TOTAL MONTHLY EXPENSES	\$139,165	
			ETIONARY INCOME		
24A. NET MONTHLY INCOME LESS EXPENSES (Item 17 less Item 23) \$ 24B. AMOUNT YOU CAN PAY ON A MONTHLY BASIS TOWARD YOUR DEBT \$ 139.145				IS TOWARD YOUR DEBT	
1/10	() (()				

		ID case 1:23-	cv-C		29. U.S. SAVINGS		/14/23 page	25 of 43
25. CASH IN BANk building and loa		and savings accounts, etc.)	\$ -	300	(Current Value)	All him second and second	\$	
26. CASH ON HAN	ID		\$ B.		30. STOCKS AND OTHER BONDS (Current Value)		0	
27. AUTOMOBILES	S (Resale vo	alue)			31. REAL ESTATE (Resale value)	OWNED	0	
MAKE	YEAR	MODEL	200		32. OTHER ASSET	TS (Specify below)		
		1	1		1	0	. 0	
					1/1/	111	PS.	
					1/06	1111	0	
				~	/		-200	
28. TRAILERS, BO	ATS, CAM	IPERS (Resale value)	\$	Ø		AL ASSETS	\$ 541	
NOME OF		SECTIO	N VI	are required to pay	contracts A	hly installments	BIS	evision washing
machine navr	nents to	dealers, banks, I	inanc	e companies, repayi	nent of money be	orrowed for any p	urpose, doctor bi	lls, hospital bills,
etc. DO'NOT	INCLU	JDE LIVING EX	CPEN	SES.	ORIGINAL			AMOUNT
NAME AND	ADDRE	SS OF CREDITOR		AND PURPOSE OF DEBT	AMOUNT OF DEBT	UNPAID BALANCE	AMOUNT DUE MONTHLY	PAST DUE
	(A)		(B)	(C)	(D)	(E)	(F)
We	115-	fargo (Ca	(V)	712021		(42	200	
34A. Gr. 1	1111	LINE IN		1.40 10cm	\$ 97,000	\$ 64,000	\$ 1250	\$ 68,000
115	AF	(cars)		40210			19900	· d. com
34B.		()	,	20719	965,000	965,000	1 1000	16 5,000
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33100	9 6	CHSILDY	"精"	pant sinun	20	no	20	2120
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34F.								
34G.								
2411								
34H.								
		34I. TOTAL	•		\$11,20017	\$ 163,190	\$2290	\$134,191
NOTE: If repay	yment of a		nly bas	is, write "0" in column E	and describe arrangem	ents to repay in Item 3	6.	SILVER SEE
			NIKO II	SECTION VII - PT? IF SO AND VA OR A M	ADDITIONAL D	DATA	EASE SEND ALL PER	TINENT
DOCUMEN	ITATION				WORTGAGE COWIT AN	TO WAS INVOCALD, TE	Ende della free en	
		es," complete Items 35B t FROM BANKRUPTCY			N OF COURT	B5D. I	OOCKET NO. (If known)	
DDEVIOUS	TEM MIIM	REDICI TO WHICH VO	HIR CC	ECESSARY, TO SUPPLY				
D)	- 1	- 6.0 =	6.	tateme	ent in	1 5000	EACH	chim
1116	an	POEE	-	IUICITIE	211 11	7 /		
		SEC	TION	VIII - APPLICAN				
37A. YOUR	IGNATU	RE (Required)		37B. DATE SIGNED	38A. SIGNATUR	RE OF SPOUSE (Reg	quired) 38B.	DATE SIGNED
1//	1-10	1	No.	18/4/20	2 1	11-		
PENALTY:	he law pro	ovides severe penalties	which	include fine or imprisonn	nent, or both, for the w	rillful submission of any	y statement or evidence	e of a material fact,

BACK OF VA FORM 5655, JUN 2009 (RS)

USDC IN/ND case 1:23-cy-00112-HAR SLC document 17-1 filed 06/14/23 page 26 of 43

VETERAN'S SOCIAL SECURITY NO. SECTION II: REMARKS (Continued) (The following statement is made in connection with a claim for benefits in the case of the above-named veteran/beneficiary) SECTION III: DECLARATION OF INTENT I CERTIFY THAT the statements on this form are true and correct to the best of my knowledge and belief. 9. SIGNATURE OF VETERAN/BENEFICIARY (Required) 10. DATE SIGNED

Month

PENALTY: The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material fact, knowing it to be false.

PRIVACY ACT INFORMATION: The VA will not disclose information collected on this form to any source other than what has been authorized under the Privacy Act of 1974 or Title 38, Code of Federal Regulations 1.576 for routine uses (i.e., civil or criminal law enforcement, congressional communications, epidemiological or research studies, the collection of money owed to the United States, litigation in which the United States is a party or has an interest, the administration of VA Programs and delivery of VA benefits, verification of identity and status, and personnel administration) as identified in the VA system of records, 58VA21/22/28, Compensation, Pension, Education, and Veteran Readiness and Employment Records - VA, published in the Federal Register. Your obligation to respond is required to obtain or retain benefits. VA uses your SSN to identify your claim file. Providing your SSN will help ensure that your records are properly associated with your claim file. Giving us your SSN account information is voluntary. Refusal to provide your SSN by itself will not result in the denial of benefits. The VA will not deny an information is considered relevant and necessary to determine maximum benefits under the law. The responses you submit are considered confidential (38 U.S.C. 5701). Information submitted is RESPONDENT BURDEN. We not the state of the

RESPONDENT BURDEN: We need this information to obtain evidence in support of your claim for benefits (38 U.S.C. 501(a) and (b)). Title 38, United States Code, allows us to ask for this information. We estimate that you will need an average of 15 minutes to review the instructions, find the information, and complete this form. VA cannot conduct or sponsor a collection of information unless a valid OMB control number is displayed. You are not required to respond to a collection of information if this number is not displayed. Valid OMB control numbers can be located on the OMB Internet Page at www.reginfo.gov/nublic/do/PRAMnin. If desired, you can call 1-800-827-1000 to get information on where to send comments or suggestions about this form.

February 24, 2023

To: Department of Veterans Affairs
Regional Offices
Veterans Benefits Administration
Veterans Affairs Debt Management Center

From: Malik Haleem Swinton, MBA

Subject: Debt forgiveness Debt disagreement

To whom it may concern,

I absolutely disagree with the total amount of debt that the VA claims that I own. I have continually been rated at 60%-100% disability for 22 years. I NEVER dropped under 60% for more than a year and was still paid compensation. So, I am asking for my debt to be forgiven because I have factual and evidential physical and mental disabilities, illnesses, and diagnoses documented from years 2001-2023.

Sincerely, Malik H. Swinton, U. S. Disabled Veteran

USDC IN/ND case 1:23-cv-00112-HAB-SLC document 17-1 filed 08/14/23 page 28 of 43

8/4/2022

6/21/2022 (Original date)

To: Veteran Affairs Pension and Compensation VA Debt Management Center VBA

From: Malik Haleem Swinton

Subject: Statement in Support of Claim
Waiver to Request Debt forgiveness
Financial Hardship Request

To whom it may concern,

This is my 4th financial hardship waiver request dating back to March 2021. It seems as if most of the mail I sent is NOT being filed properly or it's being thrown any. I would assume that is illegal. I also have NOT received an answer on paper from any of the last 3 financial hardship requests. I have not received mail or receipts from VA debt management since February 2022.

In addition, VA debt management told myself, the VSO, and Congressmen Jim Banks that I had to pay off the entire debt before my waiver would apply. Again, I have NOT received that in writing.

Why do I need a waiver if there is not a debt???

That does not make sense!

I need to inform you in written of the violation of my civil and constitution rights. According to the law:

- 1) VA has to inform veteran (s) in writing at least within 30 days of any changes in regards to their pension and or compensation payments, giving that veteran **Due Process** to file an appeal; if necessary.
- 2) The VA debt management department have to give veterans a chance to negotiate a payment arrangement or settlement offer for a current debt. I was not given a right to any of these **Due Processes**.
- 3) Under the constitution the Veterans Affairs violated my:

5th Amendment of depriving me and my family of life, liberty, and property;

8th Amendment of Cruel and Unusual Punishment Inflicted;

14th Amendment of Due Process.

4) I am under the IU program and that was my primary means of income so my entire compensation check being withheld is unlawful because the Northern District of California court said ONLY 10% or \$300 should be paid. They NEVER stated that my entire pay check should be garnished. I can't work because of my disabilities BUT you take my entire check does not legally make sense. The VA Debt management center has been taking \$300 out of my compensation check for a year and a half now

USDC IN/ND case 1:23-cv-00112-HAB-SLC document 17-1 f/led 08/14/23 page 29 of 43

without me agreeing to that payment. But in March of 2022, Debt management ignored the law, ignored the court order, and took ALL \$3000 of my compensation check for the last 5 months leaving my family in an extreme financial hardship.

The damage from garnishing my entire pension:

- 1. Our vehicle was repossessed 3 weeks before elementary school started.
- 2. My family is currently going through an housing eviction.
- 3. My family electricity or utilities have been turned off.
- 4. We have no food in the house.
- 5. I do not have income to buy school clothes.
- 6. I have requested a waivers 4-5 months ago and that was ignored by the Veterans Affairs Debt management center multiple times. I would like the last 5 pension and compensation payments return to me and my family.

In March of 2022 I requested a financial hardship waiver because I am paying restitution or overpayment for disabilities that are LEGAL. My attorney did such a fucking shitty job representing me to the point I had to file a Petition Writ of Habeas Corpus. And I will continue this legal process until my rights have been restored.

If I have to I will also file a Federal Tort claim as well.

Lastly, I would like to request a **Debt Forgiveness** because I am paying for a disability overpayment despite the fact that I was 100% before in 2018 and now 100% Permanent & Total and in the Individual Unemployability (IU) program. I am paying a debt for legal disabilities. I would like the VA to do the legal right thing for a Decorated Honorable Disabled Military Veteran.

I would like to **exercise my relief** options from the Veterans Affairs. If all else Fail, I would like a **hearing** also because men and women that serviced Honorable for his country should not have to go through the HELL I am going through.

Sincerely,

Malik Haleem Swinton, MBA

Deanbrasco@hotmail.com

USDC IN/ND case 1:23-cv-00112-HAB-SLC document 17-1 filed 08/14/23 page 30 of 43

Hardship

Malik H. Swinton, MBA <deanbrasco@hotmail.com>
Fri 9/23/2022 12:24 PM

To: VA

From: Malik H. Swinton, 0143
Deanbrasco@hotmail.com

Financial Hardship Waiver and Debt Forgiveness Request

I have not received my pension and compensation check for 6 months now. The last payment I received was in February 2022. Also, I did not receive Due Process under the law for a payment plan which is illegal or not legally fair.

I just received a message from the **VA Secretary Denis McDonough in WASHINGTON** — The Department of Veterans Affairs is extending its financial hardship suspension on benefit debts through Dec. 31.

All of my pension was garnish knowing the VA Secretary suspended all debts this year.

The ramification from this lack of Due Process was an Extreme Financial Hardship. I have lost my family's vehicle in a repossession, I'm going through a housing eviction, my home utilities have been turned off and on, my credit is bad, and 2 of my bank accounts have been close.

Please grant my Debt forgiveness.

Thank you

USDC IN/ND case 1:23-cv-00112-HAB-SLC document 17-1 filed 08/14/23 page 31 of 43 Hardship

Malik H. Swinton, MBA < deanbrasco@hotmail.com>
Fri 9/23/2022 12:31 PM

9/23/2022

6/21/2022 (Original date)

To: Veteran Affairs Pension and Compensation VA Debt Management Center VBA

From: Malik Haleem Swinton

Subject: Statement in Support of Claim
Waiver to Request Debt forgiveness
Financial Hardship Request

To whom it may concern,

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- 2) The VA debt management department have to give veterans a chance to negotiate a payment arrangement or settlement offer for a current debt. I was not given a right to any of these **Due Processes**.
- 3) Under the constitution the Veterans Affairs violated my:
- 5th Amendment of depriving me and my family of life, liberty, and property;
- 8th Amendment of Cruel and Unusual Punishment Inflicted;
- 14th Amendment of Due Process.
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I would like to **exercise my relief** options from the Veterans Affairs. If all else Fail, I would like a **hearing** also because men and women that serviced Honorable for his country should not have to go through the HELL I am going through.

Sincerely,

Malik Haleem Swinton, MBA

Deanbrasco@hotmail.com

4/7/2022

To: VA Debt Management Center From: Malik H. Swinton, 0143

<u>Deanbrasco@hotmail.com</u>
(702) 278-7332

Waiver Request

I would like to request a financial hardship waiver for debt relief because my family life situation has gotten worse. I know longer have a part time job because health reason and my April 2022 compensation check stop which was a sudden decrease to zero income, I have an increase in out of pocket has medical bills I was covering with my compensation check for family members, in addition to, my regular monthly expenses. As a result, I am pass due on my rent, car note, and all utilities.

I would like the debt write off or cancel because I was paying \$300 month on restitution of a prior wire fraud case but it turned out that my disabilities were legal or real. So, I filed a petition writ Habeas corpus to the Federal court because I was innocent the entire time. Why am I paying restitution for disability fraud when doctors found that all of my disabilities were real, legal, and I live everyday in pain. My mental health is in terrible condition because of the hell I experienced with having a awful lawyer that didn't fight for me. This is all to common with African Americans and the court system. I served the US Military and the Department of Justice with Honors; but, today at 43 years old I'm dead broke with children in the house because of retaliation charges from 4 years ago. The only keeping me alive right now is my son.

If my request is denied I would like a hearing to fix the wrong that is taken place to a honorable military member.

Thank you

USDC IN/ND case 1:23-c1-20112-HAB-SLC document 17-1 filed 08/14/23 trage 34 of 43



Auto

PO BOX 33068 RALEIGH, NC 27636

Notice of our plan to sell your Vehicle

08/02/2022

Name:

MALIK H SWINTON

Address:

503 MISSION HILL DR

FORT WAYNE, IN 46804-6423

Account: 5926

Subject: Opportunity to get your vehicle back and information about upcoming vehicle sale

Dear MALIK H SWINTON:

We are writing to let you know we have your 2017 CADILLAC ESCALADE 1GYS4DKJ9HR103073, (Vehicle), and it may be sold because you did not keep promises in your auto financing agreement (Agreement). We plan to sell the Vehicle at a private sale sometime after 08/12/2022. Please see details below about the upcoming sale and how you can get your Vehicle back. You can call us with questions or to discuss your options at 1-888-937-9992.

How can you get your	You can get your Vehicle back at any time before we sell it by:
Vehicle back?	"redeeming" your Vehicle - paying us \$68,532.18, which is the full amount you owe, including certain repossession costs, or
	"reinstating" your Agreement - paying us N/A , which is the past due amount, plus certain repossession costs.
	Please refer to Details on getting your Vehicle back on the next page for important details.
	Please be advised, if you do not redeem your Vehicle or reinstate your Agreement, the Vehicle will be sold as described below.
How can you learn about specific payment, sale, and personal property information?	Call us at 1-888-937-9992, or Write us at Wells Fargo Auto PO BOX 33068, RALEIGH, NC 27636: If you want us to explain in writing how we determined the amount you owe us lf you need more information about the sale, including details about the scheduled sale date. For information on how to retrieve any personal property left in the Vehicle.
About the private sale of your Vehicle	We intend to sell the Vehicle at a private sale, sometime after 08/12/2022, unless you redeem your Vehicle or reinstate your Agreement as outlined in this notice.
Who else is receiving this notice?	Others receiving this letter We are sending this notice to the following additional people who have an interest in the Vehicle or who owe money under your Agreement:
	N/A

Continued on next page





Subject: Payment options available for your account ending in 5926 – action requested

Dear MALIK H SWINTON:

We are writing to explain that effective 06/28/2022 your entire account balance of \$68,277.18 became immediately due and owing. Please call us as soon as possible. We want to work with you and discuss options to help you resolve this matter.

What you need to know

When an account is seriously past due, we have the right under our contract with you to accelerate the balance of the account. This means you have to immediately pay the full amount owing, not just past due payments.

Due to the serious delinquency on your account, we have exercised our right to accelerate the balance. The entire balance, as shown below, is now due.

A.	Aggregate amount of obligations as of 06/28/2022, the date of acceleration includes current principal balance due and *finance charges accrued as of the date of acceleration	\$68,166.18
В.	*Late fees, as of the date of acceleration	\$111.00
C.	*Other fees (Includes non-sufficient fund fees and attorney's fees/legal expenses, as permitted by law) as of the date of acceleration.	\$0.00
D	. Subtotal ("A" plus "B" plus "C")	\$68,277.18
	Balance You Must Pay	\$68,277.18

^{*}Any fees and/or finance charges assessed to your account subsequent to your last billing statement are included in the amounts above. Please call us for an itemized accounting of fees.

We've also reported to the consumer reporting agencies (also known as credit bureaus) this account as "unpaid balance reported as a loss (charge-off) by credit grantor."

Please contact our office at 1-800-752-8533 Monday – Friday, 9:00 a.m. to 4:00 p.m. Pacific Time to make satisfactory arrangements. We accept telecommunications relay service calls.

Thank you,

Wells Fargo Auto

The laws of some states require us to inform you that this communication is an attempt to collect a debt and that any information obtained will be used for that purpose.

OF/LTR-528 (10/21/21)

02/26/22

\$3,655.66

\$1,288.54

Amount

\$18.50

\$5,018.20

\$74.00

0023304 01 MB 0.485 **AUTO T3 0 0127 46804-642303 -C10-P23327-I1 #2202 2050 6037 7097#



Payment summary

Payment due date

Late charges accrued

Current payment due

Total amount due

After 06/10/22, a late charge may apply.

Activity since your last statement on 04/06/22

Late charge added

Description

Amount past due

Date

04/11/22

MALIK H SWINTON 503 MISSION HILL DR FORT WAYNE IN 46804-6423 Vehicle 2017 Cadillac Escalade 13.090% Interest rate Monthly payment \$1,288.54 Maturity date 12/26/27 Daily interest Payoff as of 05/07/22

† This payoff quote is valid provided no additional This payoff quote is valid provided no autoruous transactions are posted to your account.

Please include the daily interest amount of \$22.98 for each additional day after 05/07/22 and call us for payoff instructions.

Please see reverse side for important information regarding your account.

Customer service and payments

Make payments and manage your account at wellsfargo.com

J Telephone 1-800-289-8004 We accept telecommunications relay service

Hours of operation Monday - Thursday 7:00 a.m. - 10:00 p.m. 7:00 a.m. - 5:30 p.m. Central Time Central Time

7:00 a.m. - 9:00 p.m. Central Time

■ Mailed paymentsWells Fargo Auto PO Box 17000 Denver, CO 80217-0900

You're in control; manage your account online

- · Register for eStatements
- View payment history
- · Enroll in automatic loan payments
- Make a payment on your loan

Enroll today at wellsfargo.com

DIA 6705107 3/20

Go paperless! Enroll in online statements today at wellsfargo.com.

After 06/10/22, a late charge may apply.

Make a fast and easy payment online at wellsfargo.com, or send this coupon and your payment prior to the due date. Please write your account number on your check or money order and make payable to Wells Fargo Auto.

> Check box for address correction and list changes on reverse side.

> > MALIK H SWINTON 503 MISSION HILL DR FORT WAYNE IN 46804-6423

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Account number

Payment due date

Additional amount to be applied to principal balance

(See reverse side) Total amount enclosed (Please do not

Total amount due

send cash)





USDC IN/ND case 1:23-cv-00112-HAB-SLC document 17-1 filed 08/14/23 page 37 of 43

Credit Collection Services
P.O. Box 607
Norwood, MA 02062-0607
(617) 581-1058 from 8am to 8pm EST, Monday to Friday
www.ccspayment.com

To: MALIK SWINTON 503 MISSION HILL DR FORT WAYNE IN 46804-6423 05/17/22

Reference. 749 (PIN: 50987)

Credit Collection Services is a debt collector. We are trying to collect a debt that you owe to PROGRESSIVE PALOVERDE INSURANCE CO. We will use any information you give us to help collect the debt.

Our information shows: You had an account with PROGRESSIVE PALOVERDE

INSURANCE CO with account number

As of April 24, 2022, you owed:		\$ 270.55
Between April 24, 2022 and today:		
You were charged this amount in interest:	+	\$ 0.00
You were charged this amount in fees:	+	\$ 0.00
You paid or were credited this amount toward the debt:		\$ 0.00
Total amount of the debt now:		\$ 270.55

How can you dispute the debt?

- Call or write to us by June 24, 2022, to dispute all or part of the debt. If you do not, we will assume that our information is correct.
- If you write to us by June 24, 2022, we must stop collection on any amount you dispute until we send you information that shows you owe the debt. You may use the form below or write to us without the form. You may also include supporting documents. We accept disputes electronically at www.ccspayment.com.

What else can you do?

- Write to ask for the name and address of the original creditor, if different from the current creditor. If you write by June 24, 2022, we must stop collection until we send you that information. You may use the form below or write to us without the form. We accept such requests electronically at www.ccspayment.com.
- Go to www.cfpb.gov/debt-collection to learn more about your rights under federal law. For instance, you have the right to stop or limit how we contact you.
- Contact us about your payment options.

0757

Mail this form to: Credit Collection Services P.O. Box 607 Norwood, MA 02062-0607

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SEE SE	MALIK SWINTON
D213748	503 MISSION HILL DR
00-WNZ1E-1 0121	FORT WAYNE IN 46804-6423
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How do yo	u want to	respond?
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Check all that apply:

- ☐ I want to dispute the debt because I think:
 - ☐ This is not my debt.
 - ☐ The amount is wrong.
- Other (please describe on reverse or attach additional information).
- I want you to send me the name and address of the original creditor.

		amount:	

to	\$		Villa	W	Ù,	
	1884	1	75,10		-05-7	

Make your check payable to PROGRESSIVE PALOVERDE INSURANCE CO. Include the reference number 05 0978 83049.



CAPITAL
Property Management, LLC

Your Current Balance

\$5,485.00

Next bill due on September 01, 2022

Attention: You have past due bill(s) from July 01, 2022

Pay Now

Set Up Autopay

August (This Month)

Description	Amount
August 2022 Due on 08/01/2022	\$1,445.00
Late Fee for Aug 2022 Due on 08/05/2022	\$25.00
July 2022 Due on 07/01/2022	\$1,995.00
Late Fee for Jul 2022 Due on 07/05/2022	\$25.00

September (Next Month)

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Debt Management Center
Bishop Henry Whipple Federal Building
PO Box 11930
St. Paul, MN 55111-0930

The Honorable Jim Banks
Member United States
House of Representatives
Attention: Andy Porter
1300 South Harrison Street, Room 3105
Fort Wayne, IN 46802

In Reply Refer To: 189 00/30B CSS XXX-XX-0143 SWINTON, Malik H.

Dear Representative Banks:

Thank you for your inquiry concerning the compensation debt of Mr. Malik H. Swinton. Department of Veterans Affairs (VA) Debt Management Center (DMC) records indicate we responded to a similar inquiry from Congressman Larry Bucshon on November 10, 2022. A copy of the letter is attached for your reference.

Mr. Swinton's receivable at the VA is a direct result of criminal case number 4:18-cr-586 of the Northern District of California. He was the defendant in that case and VA, the Social Security Administration, and the Department of Labor were the victims. His VA benefits are being withheld at the direction of the Department of Justice to satisfy the restitution he owes the VA as a result of that criminal case. If he wishes to seek a reduction in the amount withheld from his VA benefits, he must contact the United States Attorney's Office for the Northern District of California.

DMC does not process or calculate VA benefits or VA debts and does not have the authority to determine benefit eligibility. These matters fall under the jurisdiction of the Regional Office (RO) in Oakland, California. Records indicate Mr. Swinton currently has a claim pending with the RO. Questions regarding VA benefit entitlement, the pending claim, how the RO's claim decision may affect the debt, or the debt establishment should be directed to the RO at (800) 827-1000.

Your interest on behalf of Mr. Swinton is appreciated.

Sincerely yours,

/Julie Lawrence/ Chief of Operations

Attachment(s)
DMC letter 11/10/22

DEPARTMENT OF VETERANS AFFAIRS

IN/ND case 1:23-cy-00112-HAB agement Center 17-1 filed 08/14/23 page 40 of 43
Bishop Henry Whipple Federal Building
PO Box 11930
St. Paul, MN 55111-0930

November 10, 2022

The Honorable Larry Bucshon Member United States House of Representatives Attention: Ashley V.S. Newell 20 Northwest 3rd Street, Suite 1230 Evansville, IN 47708

In Reply Refer To: 189 00/30B CSS XXX-XX-0143 SWINTON, Malik H.

Dear Representative Bucshon:

Thank you for your inquiry concerning the compensation debt of Mr. Malik H. Swinton.

Department of Veterans Affairs (VA) Debt Management Center (DMC) records indicate we responded to a similar inquiry to Representative Jim Banks on May 27, 2022 and a response to Mr. Swinton on August 25, 2022. Copies of the letters are attached for your reference.

DMC does not process or calculate VA benefits or VA debts and does not have the authority to determine benefit eligibility. These matters fall under the jurisdiction of the Regional Office (RO) in Oakland, California. Records indicate Mr. Swinton currently has a claim pending with the RO. Questions regarding VA benefit entitlement, the pending claim, how the RO's claim decision may affect the debt, or the debt establishment should be directed to the RO at (800) 827-1000.

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Your interest on behalf of Mr. Swinton is appreciated.

Sincerely yours,

/Julie Lawrence/ Chief of Operations

Attachment(s)
DMC letter 5/27/22
DMC letter 8/25/22

Civil Rights Division

Assistant Attorney General 950 Pennsylvania Ave, NW - RFK Washington, DC 20530

March 28, 2023

The Honorable Jim Banks
U.S. House of Representatives
E Ross Adair Federal Building and U.S. Courthouse
1300 S Harrison Street
Room 3105
Fort Wayne, IN 46802

Dear Representative Banks:

This responds to your correspondence dated March 15, 2023, regarding your constituent, Malik Swinton. Mr. Swinton wrote to you regarding the garnishment of his disability payments by the U.S. Department of Veterans Affairs (VA).

The Department of Justice has carefully reviewed the information you provided regarding Mr. Swinton's concerns, and we have determined that this matter may fall within the jurisdiction of the VA. We are, therefore, referring your correspondence to the VA for further review and disposition, as appropriate. If you or your constituent has any questions, you may contact the VA at the following address:

Mr. Harvey Johnson
Deputy Assistant Secretary for Resolution Management (08)
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420

Mr. Swinton may also pursue other avenues in order to resolve his complaint, including consulting state or local authorities or disability rights organizations. Mr. Swinton's state bar association or local legal aid office may be able to help, and he may find a local office at: American Bar Association, www.findlegalhelp.org, (800) 285-2221; or Legal Service Corporation (or Legal Aid Offices), www.lsc.gov/find-legal-aid, (202) 295-1500. Alternatively, he may find a local disability rights agency at: www.ndrn.org/about/ndrn-member-agencies.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Kristen Clarke

Assistant Attorney General

USDC IN the case 1;23-cy-90112-HAB-SLCnedocument 17-1/1 filed 08/14/23 page 42 of 43 1:23-cv-00112-HAB-SLC document 16-2 filed 08/10/23 page 7 of 7

udgment in Criminal Case

Judgment - Page 7 of 7

-001 YGR

SCHEDULE OF PAYMENTS

bility to pay, payment of the total criminal monetary penalties is due as follows*:

		offiny to pay, pa	ayment of the total c	illilliai illolictary penaiti	is tale as follows.
A	Г	Lump sum payment of	due in	nmediately, balance due	
		□ not later than, o □ in accordance with □ C,		and/or F below);	or
В	Γ	Payment to begin immediately (may	be combined with	Γ C, Γ D, or Γ F	below); or
C	Γ	Payment in equal (e.g., months or years),	weekly, monthly, q to commence	uarterly) installments of (e.g., 30 or 60 da	over a period of ys) after the date of this judgment; or
D	Γ	Payment in equal (e.g., months or years), term of supervision; or	weekly, monthly, q	uarterly) installments of (e.g., 30 or 60 da	over a period of ys) after release from imprisonment to a
E		Payment during the term of supervis	sed release will come e payment plan based	mence within d on an assessment of the	_ (e.g., 30 or 60 days) after release from defendant's ability to pay at that time; or
		monetary penalties (\$100 special a rate of not less than \$25 per quart Responsibility Program. Once the of not less than \$300 or at least 10 from placement on supervision. A Attorney's Office if the defendant	assessment and \$63 ter and payment she defendant is on su percent of earning any established pay has the ability to perk of U.S. District	2,368.34 in restitution) all be through the Bure- pervised release, restitu s, whichever is greater, ment plan does not precease more than the minin Court, 450 Golden Gate	tion must be paid in monthly payments to commence no later than 60 days lude enforcement efforts by the US num due. All criminal monetary e Ave., Box 36060, San Francisco, CA
Cas	e Nur		Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
_	The	defendant shall pay the cost of prosec	cution.		
_	-	defendant shall pay the following co	urt cost(s):		
1	The	defendant shan pay the following co-			
		defendant shall forfeit the defendant		owing property to the Un	ited States:

^{*} Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

USDC IN the case 1:23-cv-90112-HAB-SLCnedocument 17-1/1 filed 08/14/23 page 43 of 43 1:23-cv-00112-HAB-SLC document 16-2 filed 08/10/23 page 7 of 7

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Judgment - Page 7 of 7

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SCHEDULE OF PAYMENTS

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		not later than, o		and/or F below);	or
В	Γ	Payment to begin immediately (may	be combined with	Γ C, Γ D, or Γ F	below); or
C	Γ	Payment in equal (e.g., months or years)	weekly, monthly, q	uarterly) installments of (e.g., 30 or 60 day	over a period of ys) after the date of this judgment; or
D	Γ	Payment in equal (e.g., months or years) term of supervision; or	, weekly, monthly, q , to commence	uarterly) installments of (e.g., 30 or 60 day	over a period of ys) after release from imprisonment to a
E		Payment during the term of supervis	sed release will come e payment plan based	mence within d on an assessment of the	(e.g., 30 or 60 days) after release from defendant's ability to pay at that time; or
		monetary penalties (\$100 special a rate of not less than \$25 per quark Responsibility Program. Once the of not less than \$300 or at least 10 from placement on supervision. A Attorney's Office if the defendant	assessment and \$63 ter and payment she defendant is on su percent of earning any established paying has the ability to perk of U.S. District	2,368.34 in restitution) a all be through the Bures pervised release, restitu s, whichever is greater, ment plan does not prec ay more than the minin Court, 450 Golden Gate	tion must be paid in monthly payments to commence no later than 60 days lude enforcement efforts by the US num due. All criminal monetary e Ave., Box 36060, San Francisco, CA
Def		nber nt and Co-Defendant Names g defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
Г	The	defendant shall pay the cost of prose	cution.		
\vdash	The	defendant shall pay the following co	urt cost(s):	_	
Г	The	defendant shall forfeit the defendant	's interest in the follo	owing property to the Uni	ited States:
Γ	or p	Court gives notice that this case invo- part of the restitution ordered herein an endant's responsibility for the full am	nd may order such pa	ayment in the future, but	y and severally liable for payment of all such future orders do not affect the

^{*} Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.